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Security Council Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea

Note verbale dated 19 December 2006 from the Permanent Representative of Latvia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Latvia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea, and has the honour to convey herewith a letter dated 15 November 2006 from Mr. Normans Penke, State Secretary of the Ministry of Foreign Affairs of the Republic of Latvia, regarding information on the steps the Republic of Latvia has taken with a view to implementing effectively the provisions of paragraph 8 of Security Council resolution 1718 (2006) (see annex).

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Annex to the note verbale dated 19 December 2006 from the Permanent Representative of Latvia to the United Nations addressed to the Chairman of the Committee

Letter dated 15 November 2006 from the State Secretary of the Ministry of Foreign Affairs of Latvia addressed to the Chairman of the Security Council Committee established pursuant to Security Council resolution 1718 (2006) concerning the Democratic People's Republic of Korea

Referring to your letter SCA/6/06(9) of 1 November 2006 asking to provide information on the steps the Republic of Latvia has taken with a view to implementing effectively the provisions of paragraph 8 of UN Security Council Resolution 1718 (2006), the Ministry of Foreign Affairs of the Republic of Latvia has the honor to convey the following.

The Ministry of Foreign Affairs of the Republic of Latvia informs that as for a member state of the European Union the implementation of the UN Security Council Resolution 1718 (2006) is carried out by a Council Regulation. The Commission of the European Communities on 8 November 2006 has accordingly presented a proposal for a Council Regulation concerning restrictive measures against the Democratic People's Republic of Korea.

It must be noted that member states of the European Union can apply the restrictions on admission on the basis of existing legislation, including Regulation (EC) No. 539/2001 listing the third countries whose national must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. Accordingly, all restrictive measures set out in the UN Security Council Resolution 1718 (2006), with exception of the restrictions on admission, are to be implemented by means of this Council Regulation.

Furthermore, the Council Regulation concerned prescribes that the Member States should determine the proportionate, effective and dissuasive

penalties applicable to infringements of the provisions of this Regulation. Thereupon the Ministry of Foreign Affairs of the Republic of Latvia informs that Article 84 of the Criminal Law of 17 June 1998 provides for a penalty for violations of sanction regimes established by international organizations. Namely, for intentional violation of laws and regulations governing the sanctions imposed by the United Nations, European Union and other international organizations the applicable penalty is imprisonment for up to five years or a fine of up to hundred minimal monthly wages. Furthermore, for the same acts if performed repeatedly or in a group by a preliminary agreement, or by an official, the applicable penalty is imprisonment for up to eight years with or without confiscation of property.

Please accept, Dear Sir, the assurances of my highest consideration, as well as commitment to provide any further information on the matter, should it be necessary.

Normans Penke
State Secretary